

ORIGINAL

IN THE UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,)
)
Plaintiff,)
vs.)
)
ROBERT H. RICHARDSON;)
REBECCA R. RICHARDSON;)
Defendants.)

CIV 05-176-SH

FILED

APR 21 2006

William B. Guthrie
Clerk, U.S. District Court

JOURNAL ENTRY OF JUDGMENT

By _____ Deputy Clerk

This matter comes on to be heard this 24th day of April, 2006, upon the issues in plaintiff's complaint filed herein; the plaintiff, United States of America, appearing by Jeanette Windsor, Assistant United States Attorney for the Eastern District of Oklahoma; states as follows:

The defendants, Robert H. Richardson and Rebecca R. Richardson, have not appeared, either in person or by counsel, but being wholly in default; the Court carefully inspects and examines the files, records, and processes herein and finds that subsequent to the filing of plaintiff's complaint in this action, finds as follows:

The defendants, Robert H. Richardson and Rebecca R. Richardson, were served with summons and complaint pursuant to Rule 4 of the Federal Rules of Civil Procedure, more than twenty (20) days prior to this date; the Court further finds that said defendants have made default and by reason thereof, plaintiff's complaint should be and is hereby taken as confessed by said defendants; the Court further finds that plaintiff has fully

complied with the Soldiers and Sailors Civil Relief Act of 1940 and the amendments thereto, and that upon motion and affidavit properly filed therefor, this Court has made and entered its Order directing that judgment by default be entered against the defendants not appearing or otherwise answering plaintiff's complaint, and such Order is filed herein.

NOW, the Court proceeds instanter to consider plaintiff's complaint, and carefully examines the exhibits attached thereto, and upon conclusion, after being fully advised in the premises both as to the facts and the law, finds and adjudges the plaintiff has fully sustained all of the allegations of its complaint; the Court further finds that the plaintiff is entitled to and is hereby given a judgment against the defendant, Robert H. Richardson as prayed for in plaintiff's complaint.

And the Court more specifically finds:

That Robert H. Richardson and Rebecca R. Richardson executed and delivered to plaintiff a total of two promissory notes, the dates and amounts of which are as follows:

<u>Instrument</u>	<u>Dated</u>	<u>Amount</u>	<u>Interest</u>	<u>Installments</u>
Note	03-07-01	\$76,102.86	5%	15
Note	03-07-01	\$31,569.48	5%	15

Said notes were rescheduled and/or reamortized from prior notes. All security has been liquidated.

That the said defendants have defaulted in the payments provided in said note and have not paid the same in the amounts and at the times they agreed to pay the same, and by reason thereof, there is now due and owing the principal sum of \$67,053.11, plus interest accrued through April 5, 2006, in the amount of \$6,953.30, plus interest from that date at the daily rate of \$9.008 until the date of judgment, and thereafter at the legal rate until paid in full, plus all costs and future costs of this action; that by reason of the aforementioned default, plaintiff has elected to declare the entire principal balance and accrued interest thereon due and payable at once.

That pursuant to the laws of the State of Oklahoma, plaintiff is entitled to a reasonable attorney fee to be taxed as costs in this action, and \$2,000.00 is a reasonable attorney fee in this action.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED BY THE COURT:


1. That the plaintiff have judgment against the defendant, Robert H. Richardson for the sum of \$67,053.11, plus interest accrued through April 5, 2006, in the amount of \$6,953.30, plus interest from that date at the daily rate of \$9.008 until the date of judgment, and thereafter at the legal rate until paid in full, plus all costs and future costs of this action.

2. That the plaintiff is granted attorney fees in the amount of \$2,000.00.


UNITED STATES MAGISTRATE JUDGE

APPROVED AS TO FORM;

SHELDON J. SPERLING
United States Attorney


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